IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE TWENTY THIRD DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE G. BIKSHAPATHY

and
THE HON'BLE MR JUSTICE P.S.NARAYANA

WRIT PETITION No: 12210 of 2004

Between:

K.Balakishan S/o. Swamy
Malkajgiri Municipality, Ranga Reddy District.

..... PETITIONER

AND

1 The Government of A.P, rep by its Principal Secretary, Municipal Administration & Urban Development Authority
Secretariat, Hyderabad.
2 The Commissioner Municipal Corporation of Warangal,
Warangal, Warangal District.
3 The Commissioner, Malkajgiri Municipality, Malkajgiri, R.R. District.
4 Ch.Kumaraswamy, S/o. & Age Not known to the Petitioner Sanitary Inspector, Warangal Municipal Corporation,
Warangal, Warangal District.
5 K.Jayprakash Reddy, S/o.& Age: Not known to the Petitioner Health Assistant, Warangal Municipal Corporation,
Warangal, Warangal District.
6 K.Upender S/o.& Age: Not known to the Petitioner Sanitary Inspector, Warangal Municipal Corporation,
Warangal, Warangal District.
7 R.Shankaraiah S/o.& Age: Not known to the Petitioner Sanitary Inspector,

Warangal Municipal Corporation,
Warangal, Warangal District.
8 B.Surender, S/o.& Age: Not known to the Petitioner
Sanitary Inspector, Warangal Municipal Corporation,
Warangal, Warangal District.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue appropriate writ, order or direction more particularly in the nature of Mandamus declaring the orders of the Hon'ble Andhra Pradesh Administrative Tribunal passed in O.a.No.2718/1999 dt.30.3.2001 as void illegal, contrary to Fundamental Rule 113 and consequently direct the respondents 1 and 2 to continue the petitioner in Warangal Municipal Corporation as Sanitary Inspector in pursuance to G.O.Rt.No.376 M.A. Dt 4.5.1999 and to pass.

Counsel for the Petitioner: MR.S.JAGADISH

Counsel for the Respondent No.1: GP FOR SERVICES I

Counsel for the Respondent No.2: MR.K.VENUGOPAL REDDY

Counsel for the Respondent Nos.4 to 8: MR.N.JANAKI RAMA RAO

The Court made the following:

ORAL ORDER:- (PER GB,J.)

The Writ Petition is filed assailing the order, dated 30.03.2001, passed by the A.P. Administrative Tribunal in O.A.No.2718 of 1999.

2. The principal ground that is urged by the learned counsel for the respondents is that the Writ Petition itself is barred by laches, and no explanation was given by the petitioner in approaching this Court at such a highly belated stage.

3. The learned counsel for the petitioner submits that on account of personal problems, the petitioner could not approach his counsel.

4. We have gone through the averments made in the affidavit. The petitioner did not refer to the delay at all. Only in one sentence he stated as follows:

> "Due to my domestic and personal problems, I could not contact my counsel immediately in the year 2001 and I obtained the copy of the order of APAT recently."

5. This explanation will not improve the situation. He should explain the delay caused in filing the Writ Petition to the satisfaction of this Court. In such a situation, we are of the considered opinion that there is any amount of unexplained laches on the part of the petitioner. Therefore, without going into the merits of this case, the Writ Petition is liable to be dismissed.

6. Accordingly, the Writ Petition is dismissed on the ground of laches.

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G. BIKSHAPATHY, J

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P.S. NARAYANA, J

Date: 23.03.2005

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To

1 The Principal Secretary, Government of A.P,
Municipal Administration & Urban Development Authority
Secretariat, Hyderabad.
2 The Commissioner Municipal Corporation of Warangal,
Warangal, Warangal District.
3 The Commissioner, Malkajgiri Municipality, Malkajgiri, R.R. District.
4 2 CCs to the G.P. for Services-I, High Court of A.P., Hyderabad (OUT)

5 2 CD copies

6 1 CC to MR.POLISETTI RADHAKRISHNA (SC FOR MPL)